



## CHARTER

### FREDERICK NATIONAL LABORATORY ADVISORY COMMITTEE TO THE NATIONAL CANCER INSTITUTE

#### AUTHORITY

Authorized by 42 U.S.C. 285a-2(b)(7), section 413(b)(7) of the Public Health Service Act, as amended. The Frederick National Laboratory Advisory Committee (Committee) to the National Cancer Institute is governed by the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. app.), which sets forth standards for the formation and use of advisory committees.

#### OBJECTIVES AND SCOPE OF ACTIVITIES

The Committee will provide advice and make recommendations to the Director, National Cancer Institute (NCI), and the Associate Director, Frederick National Laboratory for Cancer Research (FNLCR), on the optimal use of the FNLCR to rapidly meet the most urgent needs of the Institute.

#### DESCRIPTION OF DUTIES

The National Cancer Institute Facility in Frederick, Maryland, was established in 1972 as a Government-owned Contractor-operated (GOCO) facility. In 1975, the facility was designated as a Federally Funded Research and Development Center (FFRDC) to provide a unique national resource within the biomedical research community for the development of new technologies and the translation of basic science discoveries into novel agents for the prevention, diagnosis and treatment of cancer and AIDS.

The Committee will review the state of research (extramural and intramural) at FNLCR and make recommendations for the best use of its capabilities and infrastructure. Specifically, the committee will review major new projects proposed to be performed at FNLCR and advise the Director, NCI and Associate Director, FNLCR about the intrinsic merit of the projects and about whether they should be done at the FNLCR. In addition, the Committee will periodically review the existing portfolio of projects at FNLCR, evaluate their productivity, help determine which of these projects should be transitioned to more conventional mechanisms of support, i.e., (grants, contracts, cooperative agreements) and which should be considered for termination. The Committee will help to assure that the operations at FNLCR are open, transparent, and in the best interests of the entire cancer research community.

Contractor-initiated research will be monitored and evaluated periodically within the span of a contract period. The Committee will consider proposed research and will provide advice as to whether the FNLCR is the best mechanism for carrying out these projects which it deems to be of merit and to be consistent with the mission of the National Cancer Institute and FNLCR.

The Committee will submit a written description of the research and its recommendations to the Director, NCI, Deputy Directors, NCI, and the Associate Director, FNLCR. The advisory role of the Committee is scientific and does not include deliberation of matters of public policy. No member who is affiliated with the Contractor organization will serve on this Committee.

As needed and with the approval of the Executive Secretary, the Committee may call upon special consultants, assemble ad hoc working groups, appoint subcommittees and convene workshops and conferences.

#### **AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS**

The Committee will advise, assist, consult with, and make recommendations to the Director, NCI, Deputy Directors, NCI and the Associate Director, FNLCR.

#### **SUPPORT**

Management and support services will be provided by the Office of the Director, Division of Extramural Activities, NCI.

#### **ESTIMATED ANNUAL OPERATING COST AND STAFF YEARS**

The estimated annual cost for operating the Committee, including compensation and travel expenses for members, but excluding staff support, is \$155,922. The estimated annual person-years of staff support required is .3% at an estimated annual cost of \$37,031.

#### **DESIGNATED FEDERAL OFFICER**

The Director, NCI, will assign a DEA, NCI employee as the Designated Federal Officer (DFO) of the Committee. In the event that the DFO cannot fulfill the assigned duties of the committee, one or more full-time or permanent part-time NCI or NIH employees will be assigned these duties on a temporary basis.

The DFO will approve or call all of the committee's and subcommittees' meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, adjourn any meeting when it is determined to be in the public interest, and chair meetings when directed to do so by the Director, NCI, or the Director, DEA, NCI.

#### **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS**

Meetings of the full Committee will be held approximately 3 times within a fiscal year. Meetings will be open to the public except as determined otherwise by the Secretary of Health and Human Services (Secretary) in accordance with subsection (c) of section 552b of Title 5 U.S.C. Notice of all meetings will be given to the public. In the event a portion of a meeting is closed to the public, as determined by the Secretary, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and the Federal Advisory Committee Act, a report will be prepared which will contain, as a minimum, a list of members and their business addresses, the Committee's functions, dates and places of meetings, and a summary of the Committee's activities and recommendations made during the fiscal year. A copy of the report will be provided to the Department Committee Management Officer.

#### **DURATION**

Continuing.

#### **TERMINATION**

Unless renewed by appropriate action, the Frederick National Laboratory Advisory Committee will terminate two years from the date the charter is filed.

### **MEMBERSHIP AND DESIGNATION**

The Committee will consist of up to 16 members, including the Chair, appointed by the Director, NCI. Members will be authorities knowledgeable in cancer research, drug and vaccine development, clinical trials support, AIDS research, bioinformatics, genomics, nanotechnology, biological repositories, and basic research in immunology and infectious diseases. Additionally, a nonvoting representative from the National Cancer Advisory Board, the NCI Board of Scientific Advisors, and the NCI Board of Scientific Counselors (Basic Sciences and Clinical Sciences and Epidemiology) will serve on the committee and are limited to the duration of their terms on their respective Boards. Ex officio members include the NCI Deputy Directors; select NCI Division Directors; and the Associate Director, FNLCR. All non-Federal members serve as Special Government Employees. Members and the Chair will be invited to serve overlapping four-year terms. A quorum for the conduct of business by the full Committee will consist of a majority of currently appointed members. A member may serve after the expiration of that member's term until a successor has taken office.

### **SUBCOMMITTEES**

As necessary, subcommittees and ad hoc working groups may be established by the DFO within the Committee's jurisdiction. The advice/recommendations of a subcommittee/working group must be deliberated by the parent advisory committee. A subcommittee may not report directly to a Federal official unless there is statutory authority to do so.

Subcommittee membership may be drawn in whole or in part from the parent advisory committee. All subcommittee members may vote on subcommittee actions and all subcommittee members count towards the quorum for a subcommittee meeting. Ad hoc consultants do not count towards the quorum and may not vote. A quorum for a subcommittee will consist of a majority of currently appointed members. The Department Committee Management Officer will be notified upon establishment of each standing subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

### **RECORDKEEPING**


Meetings of the committee and its subcommittees will be conducted according to the Federal Advisory Committee Act, other applicable laws and Departmental policies. Committee and subcommittee records will be handled in accordance with General Records Schedule 6.2, Federal Advisory Committee Records, or other approved agency records disposition schedule. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

### **FILING DATE**

March 30, 2017

APPROVED:

2/6/17  
Date

  
Acting Director, National Cancer Institute